

U.S. Patent Application Serial No. 10/689,537
Reply to OA dated September 30, 2008

REMARKS

Claims 1-3 are amended in order to more particularly point out, and distinctly claim the subject matter which the Applicants regard as their invention. The Applicants respectfully submit that no new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated September 30, 2008.

In the Final Office Action, Claims 4 - 7 are indicated as being allowed.

Independent Claim 1, as amended, is to a portable terminal device of the foldable type that has a pair of flat cabinets openably connected to each other by a hinge mechanism. The hinge mechanism is arranged to provide rotation of one of the pair of flat cabinets relative to the other of the pair of flat cabinets. Each of the cabinets has a front cabinet half segment to be opposed to the other cabinet when closed and a rear cabinet half segment joined to the front cabinet half segment. The front cabinet half segment is a separate piece from the rear cabinet half segment. One of the pair of cabinets has the front cabinet half segment thereof connected at an end portion thereof directly to the hinge mechanism and the other cabinet has the rear cabinet half segment thereof connected at an end portion thereof directly to the hinge mechanism.

In the Final Office Action, Claims 1 - 3 are rejected under 35 USC §103(a) as being unpatentable over Murray et al. (U.S. Patent No. 6,011,699) in view of Toyoda et al. (U.S. Patent No. 6,914,982). Reconsideration and removal of this rejection are respectfully requested in view of the present amendments to Claims 1-3 and the following remarks.

U.S. Patent Application Serial No. 10/689,537
Reply to OA dated September 30, 2008

On page 3 of the Office Action it is stated:

"Murray fails to explicitly teach a rear cabinet half segment joined to the front cabinet half segment, said front cabinet half segment being a separate piece from said rear cabinet half segment, one of the pair of cabinets having the front cabinet half segment thereof connected at an end portion thereof to the hinge mechanism and the other cabinet having the rear cabinet half segment thereof connected at an end portion thereof to the hinge mechanism, such that when the pair of cabinets are closed, with extraneous matter therebetween, no clearance is created in the joint between the front cabinet half segment and rear cabinet half segment of either of the pair of cabinets."

Therefore, the Office Action is relying completely on Toyoda for teaching an inventive feature of the claimed invention. Regarding Toyoda, the Office Action asserts that in an analogous art, Toyoda teaches "Folding portable cellular phone" and recites:

"Further, Toyoda teaches a rear cabinet half segment joined to the front cabinet half segment (FIG. 3 illustrates rear cabinet half segment as read on 16/26 joined to the front cabinet half segment as read on 12/22), said front cabinet half segment being a separate piece from said rear cabinet half segment (FIG. 1, illustrates front cabinet half segment 12/22 being a separate piece from said rear cabinet half segment), one of the pair of cabinets having the front cabinet half segment thereof connected at an end portion thereof to the hinge mechanism and the other cabinet having the rear cabinet half segment thereof connected at an end portion thereof to the hinge mechanism

U.S. Patent Application Serial No. 10/689,537
Reply to OA dated September 30, 2008

(Col.5, Lines 4-41, FIG. 1, illustrate the pair of cabinets having the front cabinet half segment having end portion connected to the hinge cover 13/23 and rear cabinet half segment having end portion connected to the hinge cover 17/27 where both end hinge cover 13/23 and 17/27 connected to the hinge mechanism as read on 32)".

It is respectfully submitted that the Office Action is clearly alleging that components (16/26) of Toyoda et al. correspond to the presently claimed "rear cabinet half segment" and that components (12/22) correspond to the presently claimed "front cabinet half segment". Further, the Office Action is clearly alleging that component (32) corresponds to the presently claimed "hinge mechanism".

However, it is respectfully submitted that it is clear from FIG. 1 of Toyoda et al. that alleged hinge mechanism (32) is not connected to either of alleged rear cabinet half segment (16/26) or alleged front cabinet half section (12/22). It is the hinge covers (13/23) and (17/27) which are connected to the alleged rear cabinet half segment (16/26) and the front cabinet half segment (12/22). Thus, it is respectfully submitted that the presently claimed invention is distinct from and non-obvious in view of the cited references.

In view of the aforementioned amendments and accompanying remarks, Claims 1-3 as well as Claims 4-7, are believed to be patentable and in condition for allowance, which action, at an early date, is requested.

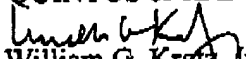
If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the Applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of his case.

U.S. Patent Application Serial No. **10/689,537**
Reply to OA dated September 30, 2008

In the event that this paper is not timely filed, the Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

KRATZ, QUINTOS & HANSON, LLP


William G. Kratz, Jr.
Attorney for Applicant
Reg. No. 22,631

WGK/JNB/ak

Atty. Docket No. **031235**
Suite 400
1420 K Street, N.W.
Washington, D.C. 20005
(202) 659-2930



23850

PATENT & TRADEMARK OFFICE

Enclosure: Petition for Extension of Time